



GAU-1646/44

LUD 5539 JEL/MAS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kohei MIYAZONO et al.  
Serial Number : 09/039,177  
Filing Date : 3/13/98  
For : ISOLATED ALK-1 PROTEIN, NUCLEIC ACIDS  
ENCODING IT, AND USES THEREOF  
Art Unit : 1646  
Examiner : D. FITZGERALD

I hereby certify that this correspondence is  
being deposited with the United States  
Postal Services as first class mail in an  
envelope addressed to: Commissioner of  
Patents and Trademarks, Washington, D.C.  
20231, on 8/16/99  
FULBRIGHT & JAWORSKI  
By Cecilia Calderon

August 16, 1999 **RECEIVED**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

AUG 20 1999

TECH CENTER 1600/2900

#9/Elections  
Sodmn 08/24/99

Sir:

This is in response to an Office Action dated June 15, 1999 wherein the Examiner subjected the application to a restriction requirement and divided the claims into five groups. Applicants file concurrently herewith a petition and fee for a ONE-month extension of time for responding to the Action.

Applicants hereby elect to prosecute the claims of Group IV, i.e. 21-26 and 28 relating to methods employing agents which promote Smad-1 phosphorylation. Applicants make the election without traverse and expressly reserving the right to prosecute the subject matter of the non-elected claims in subsequent applications.

The examiner states that with the election of Group III or Group IV the applicant is required under 35 U.S.C. § 121 to elect the species for prosecution. Applicants hereby elect the

LUD 5539 JEL/MAS

species recited in Claim 22 "wherein said molecule binds to the extracellular domain of ALK-1.

Claims 21 through 24, 26 and 28 read on this species.

The Commissioner is hereby authorized to deduct the fees associated with the filing of these papers from deposit account 500624.

Respectfully submitted,

**Fulbright & Jaworski L.L.P.**

By Mary Anne Schofield  
Mary Anne Schofield  
Reg. No. 36,669

666 Fifth Avenue  
New York, New York 10103  
(212) 318-3187